

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1157 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete page 2.
- 3 Page 6, line 41, delete "," and insert "**under IC 20-5-2.7,**".
- 4 Page 7, line 7, delete "," and insert "**under IC 20-5-2.7,**".
- 5 Page 9, line 39, after "and" insert ", **except as provided in this**
- 6 **chapter,**".
- 7 Page 10, line 6, delete "at the beginning of each fiscal year".
- 8 Page 10, line 6, delete "a contribution" and insert "**contributions**".
- 9 Page 10, line 9, delete "Annual contributions" and insert
- 10 "**Contributions**".
- 11 Page 10, between lines 17 and 18, begin a new paragraph and insert:
- 12 "**(d) Contributions to the self-insurance fund under subsection**
- 13 **(b) may be collected on an annual, a quarterly, or a monthly basis,**
- 14 **as determined by the governing authority of the cooperative**
- 15 **program.**".
- 16 Page 11, between lines 7 and 8, begin a new paragraph and insert:
- 17 "**(c) The following must be submitted to and approved by the**
- 18 **commissioner before a cooperative program may commence**
- 19 **operations:**
- 20 **(1) The interlocal agreement described in subsection (a).**
- 21 **(2) The bylaws described in subsection (b).**
- 22 **(3) The cooperative program's method of determining:**
- 23 **(A) contributions;**

- 1 **(B) reserves;**
- 2 **(C) limits of self-insured risk; and**
- 3 **(D) sufficient specific insurance coverage and aggregate**
- 4 **insurance coverage;**
- 5 **and all background information and data used in making the**
- 6 **determinations.**
- 7 **(4) Any other information determined necessary by the**
- 8 **commissioner.**

9 **Information submitted to the commissioner under this subsection**
10 **is confidential.**

11 **(d) If the commissioner does not disapprove any of the items**
12 **specified in subsection (c) earlier than sixty (60) days after the**
13 **items are submitted to the commissioner, the items are**
14 **considered approved."**

15 Page 12, between lines 22 and 23, begin a new paragraph and insert:
16 **"(e) A cooperative program is subject to IC 27-9."**

17 Page 12, line 40, after "17." insert **"(a) The commissioner shall**
18 **establish the following for a cooperative program:**

- 19 **(1) Appropriate aggregate insurance coverage levels.**
- 20 **(2) Appropriate specific insurance coverage levels.**
- 21 **(3) Sufficient reserve levels in the self-insurance fund.**
- 22 **(4) Deposits.**
- 23 **(5) Any additional financial reporting.**
- 24 **(6) Fidelity bonds.**

25 **(b) The commissioner shall examine a cooperative program at**
26 **least one (1) time every five (5) years to assure compliance with**
27 **requirements established by or under this chapter.**

28 **Sec. 18."**

29 Page 13, delete lines 21 through 27, begin a new paragraph and
30 insert:

31 "SECTION 4. IC 27-9-1-1, AS AMENDED BY P.L.5-2000,
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 UPON PASSAGE]: Sec. 1. Proceedings under this article apply to the
34 following:

- 35 (1) All insurers who are doing, or who have done, insurance
- 36 business in Indiana, and against whom claims arising from that
- 37 business may exist.
- 38 (2) All insurers who purport to do insurance business in Indiana.
- 39 (3) All insurers who have insureds resident in Indiana.
- 40 (4) All other persons organized or in the process of organizing
- 41 with the intent to do an insurance business in Indiana.
- 42 (5) All nonprofit service plans, fraternal benefit societies, and
- 43 beneficial societies.
- 44 (6) All title insurance companies.

- 1 (7) All health maintenance organizations under IC 27-13.
- 2 (8) All multiple employer welfare arrangements under IC 27-1-34.
- 3 (9) All limited service health maintenance organizations under
- 4 IC 27-13-34.
- 5 (10) All mutual insurance holding companies under IC 27-14.
- 6 **(11) All cooperative programs established under**
- 7 **IC 20-5-2.7."**
- 8 Renumber all SECTIONS consecutively.
(Reference is to HB 1157 as printed January 30, 2004.)

Representative Ripley